## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA HARRISONBURG DIVISION

KENNETH STARKS,	)	
Plaintiff,	) Civil Action No. 5:11cv00107	
v.	)	
CHAMPION BUILDERS, INC.,	) By:	Michael F. Urbanski United States District Judge
Defendant.	)	Officed States District Judge
	ORDER	

By Order dated February 14, 2012, this matter was referred to the Honorable B. Waugh Crigler, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1), for proposed findings of fact and a recommended disposition. The Magistrate Judge held a hearing on May 1, 2012 and filed a report and recommendation on May 15, 2012, recommending that the motion to dismiss, which has been converted to a motion for summary judgment, be granted and that this case be dismissed and stricken from the active docket of the court. No objections to the report and recommendation have been filed, and the court is of the opinion that the report and recommendation should be adopted in its entirety.

It is accordingly **ORDERED** and **ADJUDGED** that defendant's motion to dismiss, which has been converted to a motion for summary judgment, be **GRANTED** and that this matter is **DISMISSED** with **prejudice** and **STRICKEN** from the active docket of the court.

The Clerk is directed to send a certified copy of this Order to plaintiff and to counsel of record.

Entered: July 3, 2012

Michael F. Urbanski

(s/ Michael F. Urbanski

United States District Judge